

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
JUNE 17, 2003**

The regular session of the Auburn City Planning Commission was called to order on June 17, 2003 at 6:30 p.m. by Chairman Nesbitt in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Hale, McCord, Smith, Chrm. Nesbitt

COMMISSIONERS ABSENT: Manning

STAFF PRESENT: Will Wong, Community Development Director; Reg Murray, Associate Planner; James Michaels, Assistant Planner; Tom Fossum, Public Works Director; Janet Ferro, Administrative Assistant

ITEM I: CALL TO ORDER

ITEM II: PLEDGE OF ALLEGIANCE

ITEM III: APPROVAL OF MINUTES

The minutes of June 3, 2003 were approved as submitted.

ITEM IV: PUBLIC COMMENT

None

ITEM V: PUBLIC HEARING ITEMS

- A. Historic Design Review – 808 Lincoln Way – File HDR AMEND 03-7(A).** The applicant requests approval of an amendment to a previous Historic Design Review façade improvement. The amendment will allow for the installation of a copper metal awning to the existing building. *This item was continued from the June 3, 2003 Planning Commission meeting.*

James Michaels gave the staff report, reviewing the proposal. He advised that staff is not recommending approval as the design guidelines for the Downtown area support the use of awnings on buildings, however the use of copper is not compatible with the materials used on other buildings in the Downtown District area. The Commission had continued this item so that the applicant could explain their request.

The public hearing was opened.

Keith Sutter, property manager for the subject property, felt that the finish and color of the copper material proposed is consistent with the design guidelines for the downtown area. He pointed out that copper material was used in early Auburn buildings, specifically the historic Courthouse dome, and should be allowed in the downtown area.

Angela Tahti, Executive Director of the Arts Council of Placer County, agreed, is a tenant of the building and supports the project.

Cheryl Maki spoke to state her approval of the project, she would like copper material to be added to the downtown design guidelines.

The public hearing was closed.

Comm. McCord **MOVED** to find the project Categorically Exempt from the California Environmental Quality Act per Section 15301 and to approve the amendment for 808 Lincoln Way subject to the conditions listed in Exhibit A of the staff report.

Comm. Hale **SECONDED**.

Comm. Smith stated he approved of the project as long as the copper was 16 to 20 gauge so that it would not bend, and he was assured that it was.

Comm. Hale stated she now approved of the project. She noted that her previous concerns had been addressed by the applicant and she was now convinced that there was a tie-in with the copper on the courthouse roof in Old Town Auburn and the copper being proposed for the downtown area.

Chrm. Nesbitt felt the copper would look rustic when it weathered and he was in favor of the project.

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: Manning

The motion was approved.

B. Tentative Parcel Map – 300 Rogers Lane (Anderson Lot Split) – File LS 03-1. The applicant requests approval of a tentative parcel map to subdivide one 14.66 acre parcel into two parcels consisting of 7.1 acres and 7.56 acres, respectively.

James Michaels gave the staff report giving history of the area. In 1976 a lot split was approved creating four lots, one of which consisted of 14.66 acres and is bisected by the Central Pacific Railroad. The proposed lot split is for this parcel, and although a lot split for this property generally would not be allowed unless a specific plan is adopted for the property, staff supports the applicant's request without requiring a specific plan at this time as the railroad bisects the parcel. Approving this lot split will allow the railroad to be an appropriate boundary between parcels #1 and #2, thereby reversing an unusual situation.

The public hearing was opened.

Dean Arrington, applicant, spoke representing the property owner. There were no questions.

The public hearing was closed.

Comm. Hale noted her approval, stating the lot split made sense to her. She added that she had difficulty in locating this parcel and asked that there be a group tour for future projects in this area.

Chrm. Nesbitt noted concerns with setting a precedent in this area. Director Wong stated staff does not anticipate a similar situation occurring.

Comm. Hale **MOVED** to:

- A. Adopt the Negative Declaration prepared for Lot Split 03-1 – 300 Rogers Lane;

- B. Adopt the following findings of fact for Lot Split 03-1:
1. That due to the existing lot being bisected by the Central Pacific Railroad right-of-way, this lot split will not be detrimental to the General Plan Urban Reserve designation.
 2. That the proposed map is consistent with the applicable general and specific plans.
 3. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
 4. That the site is physically suitable for the type of development.
 5. That the site is physically suitable for the proposed density of the development.
 6. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially injure fish, or wildlife or their habitat.
 7. That the design of the subdivision or the type of improvements will not cause serious public health problems.
 8. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of the property within the proposed subdivision.
- C. Move to approve Lot Split 03-1 – 300 Rogers Lane subject to the conditions listed in Exhibit “A” of the staff report.

Comm. Smith **SECONDED**.

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: Manning

The motion was approved.

- C. **Civic Design – 11500 Blocker Drive (City Corporation Yard) – File CD 03-5.** The applicant requests approval of a Civic Design for a 2,640 square foot addition to an existing City Corporation Yard maintenance building.

James Michaels gave the staff report, describing the applicant’s proposal. The building is currently comprised of a shop area and outdoor repair bay. The addition will expand the shop area, enclose the outdoor repair bay, add two roll up doors and two transit bus shelters.

The public hearing was opened.

Roger Walden, adjacent property owner, stated objections to the proposal. He feels it will adversely affect his property, both visually and with increased noise. He asked if the existing building could be extended to the side rather than lengthwise to lessen the impact to his residence.

Tom Fossum, Public Works Director, explained that the addition could not be moved to the east as suggested by Mr. Walden as the lot is not wide enough, and he explained that space is needed for employee on-site parking. He described the planned use for the new bays: Vehicle maintenance and also as cover and fueling facilities for the transit fleet. He advised that the fuel would be a "slow fill" system, the busses will fill overnight.

Comm. Smith inquired about the possibility of enclosing the back or west side of the bays to mitigate noise on the side of the residences. Director Fossum responded that budget constraints could make that difficult.

The public hearing was closed.

Comm. Smith **MOVED** to find the project Categorically Exempt from the California Environmental Quality Act per Section 15301 and to approve the Civic Design for the City Corporation Yard Addition – 11500 Blocker Drive subject to the conditions listed in Exhibit A of the staff report with the addition of two conditions:

#1: As funds are available, to enclose the back or west side of the addition of bays;

#2: Add slatting to the existing chain link fence, of an appropriate material (i.e. redwood, vinyl) to help mitigate the noise to the residences.

Comm. Hale **SECONDED**.

Comm. McCord **MOVED** to amend condition #1 as follows:

#1: ~~As funds are available,~~ Enclose the back or west side of the addition of bays;

Chrm. Nesbitt **SECONDED**.

The vote on the amendment:

AYES: McCord, Smith, Chrm. Nesbitt
NOES: Hale
ABSTAIN: None
ABSENT: Manning

The amendment was approved.

The vote on the motion as amended:

AYES: Hale, McCord, Smith, Chrm. Nesbitt
NOES: None
ABSTAIN: None
ABSENT: Manning

The motion was approved.

D. Civic Design – 490 Nevada Street (Nevada Street Commercial Complex) – File CD 03-1.

The applicant requests approval of a Civic Design for the development of the Nevada Street Commercial Complex located immediately south of Signature Theaters on Nevada Street. The applicant proposes to construct four buildings totaling 47,924 square feet, including two office buildings (31,164 square feet) and two retail buildings (16,760 square feet), as well as associated site improvements, parking, lighting, and landscaping.

Reg Murray provided additional information for the Commissioners. He noted that the development will be responsible for minor road widening and the installation of complete frontage improvements along the Nevada Street frontage; the majority of project runoff will be collected on-site and conveyed to the storm drain system in Nevada Street; retaining walls will be used extensively through the project, due to the steep elevation change; the development significantly exceeds the City's minimum parking standards and he noted a condition to provide a reciprocal parking agreement with the adjacent Signature Theaters.

The public hearing was opened.

Ben Roy, manager of the Signature Theaters, spoke representing the owner of the theaters. He stated he had heard nothing about the

reciprocal parking agreement, and he did not know if the owner was aware of it or not. He noted concerns with the parking being provided, he felt the parking seemed inadequate for the proposal. He also noted concerns with construction noise and dust affecting the theater operation, and also with asbestos dust surfacing as it had when the theater project was under construction. He is concerned that possible road closures will affect their business at the theater. He felt that the connecting of the parking lots of the theater and this proposal could prove to be dangerous to theater patrons.

Ken Yeo, adjacent property owner, expressed concerns with the Fiddler Green Canal that bisects the property being redirected, and also concerns about excessive runoff from the proposed parking lot onto his property.

Reg Murray addressed concerns noted, advising that the canal belongs to Placer County Water Agency and they have indicated the canal will be enclosed in pipe. Regarding drainage, he pointed out that surface runoff will be collected in a storm drain system and he explained the drainage system planned.

Perry Edwards, adjacent property owner, noted concerns with light pollution from the parking lot; noise, smoke and odors from a potential restaurant; asbestos being released during construction; and noted that he would like a tall fence on the south side to screen the project.

Pat Day, adjacent property owner, noted the same general concerns, and a specific concern with two mature trees at the edge of his property with the dripline over the property line. He would like the existence of the trees to be addressed by the developer during construction of the parking lot. Another concern is a ditch on both properties, how will the contractor tie in to the ditch when it comes onto his property.

Reg Murray responded that there is information available and provided to the Commissioners on diffused lighting reducing glare and lower profile light fixtures. Regarding the possibility of asbestos, there is information in the geotechnical report supplied recommending an asbestos mitigation plan that will be required as part of the improvement plans.

Tom Fossum gave additional information on asbestos control and responded regarding the ditch on the property, advising that this water ditch will be put into a pipe and will be handled by Placer County Water Agency.

Comm. Hale noted concerns with the health of Mr. Day's large tree at the property line with development to the property line.

Andy Pulsipher, project architect, introduced Larry Miller, the owner and applicant on the project. Miller gave additional information on the concerns noted by neighbors.

Comm. McCord expressed a desire to have the sidewalk requirement continue to the intersection of Palm Avenue. Planner Murray pointed out that it is the responsibility of this project only to provide sidewalk on the project frontage and there is no nexus for requiring improvements to Palm Avenue.

Randy Wall of R&B Engineering, civil engineer for the project, also addressed concerns with drainage, retaining walls, canal, and sidewalks.

Chrm. Nesbitt was concerned with a statement Wall made, claiming to have reduced the runoff onto the property to the east. He did not understand how that was possible, with the rate of accumulation on asphalt compared to the natural terrain that exists today. Wall reiterated his comment, that the tributary area and the flow were reduced, and pointed out that the soil conditions are very rocky and absorption is not good, and the flow will be reduced with grading and redirecting the runoff.

The public hearing was closed.

Planner Murray stated that in view of earlier comments, Condition #80 on reciprocal access and parking would be optional and was being changed to read:

“Prior to the release of an occupancy permit for any building, the developer shall work with the owner of the theater property to secure a reciprocal parking and access agreement. The developer shall not be bound to secure these agreements.”

Comm. Smith stated that he understood the conflict between the people who moved here for peace and tranquility and those who want to develop their property and make all the money they can. He said he felt this proposal was too much development for the size of the property. He can foresee a traffic nightmare and felt the project will adversely affect the neighboring residents, parking is inadequate and too

many trees will be lost. This is not the kind of project that fits into the Auburn that he would like it to be.

Chrm. Nesbitt stated he agreed with Comm. Smith, he was concerned with the number of good trees that would be lost to this project, including a rare hybrid Oak that was noted in the Arborist Report. He questioned whether any effort had been made to save any of these trees.

The public hearing was reopened.

Andy Pulsipher pointed out the difficulties with the terrain on this parcel and the diligent efforts made to save trees in the planning of this project.

The public hearing was again closed.

Comm. Smith referred to Condition 10.c. that required the developer to provide mitigation for the removal of trees as being retained on the approved plans, but did not address the properties to the south and the east, that he felt should be included.

Planner Murray suggested that the following sentence be added to Condition 10.b.:

“The developer shall work with the project arborist and staff during the preparation of the civil plans to identify arborist recommended modifications to the plans that will provide or improve tree preservation. **The off site trees with a critical root zone that crosses onto the project site shall also be subject to these provisions.**”

Comm. Hale **MOVED** to adopt the Mitigated Negative Declaration for the Nevada Street Commercial Complex – 490 Nevada Street.

Comm. McCord **SECONDED**.

AYES:	Hale, McCord
NOES:	Smith, Chrm. Nesbitt
ABSTAIN:	None
ABSENT:	Manning

The vote was a tie, the motion failed.

Comm. McCord **MOVED** to postpone the meeting until all Commissioners could be present.

Comm. Hale **SECONDED**.

Previous speaker Randy Wall brought up a Point of Order: The Commission just voted down the Negative Declaration so it was not possible to move forward.

Chrm. Nesbitt responded that Comm. McCord's motion was to continue the meeting.

The Chairman reopened the public hearing.

Larry Miller, applicant, stated that as the Commission had, in fact, voted the project down, he would prefer to appeal to City Council.

The public hearing was closed.

The Chairman announced the 10 day appeal period.

**ITEM VI: COMMUNITY DEVELOPMENT DEPARTMENT
FOLLOW-UP REPORTS**

A. City Council Meetings

Director Wong reported.

B. Future Planning Commission Meetings

The Commission will continue discussing the General Plan during July at either a regular meeting or a special meeting on July 29th.

C. Reports

A field trip to Baltimore Ravine was discussed.

ITEM VII: PLANNING COMMISSION REPORTS

Comm. McCord requested a follow-up on the letters recently sent to gas stations. Director Wong stated that no one has been cited as yet; he will soon be discussing this with the City Manager and reporting to City Council for direction.

ITEM VIII: FUTURE PLANNING COMMISSION AGENDA ITEMS

None.

ITEM IX: ADJOURNMENT

Planning Commission
June 17, 2003

The meeting was adjourned at approximately 9:30 p.m.

Respectfully submitted,

Janet Elaine Ferro, Administrative Assistant